

REMARKS

In the Office Action, claims 3-9 and 17 were indicated as allowable if rewritten in proper independent form; claims 10-12, 18 and 19 were withdrawn from consideration; and claims 1, 2, 13-16 and 20 were rejected. Applicants thank the Examiner for indicating the allowability of claims 3-9 and 17. Claim 3 has been rewritten in independent form to include the limitations of its base claim and any intervening claims. Accordingly, claims 3-9 should be in condition for allowance. Applicants also request that previously withdrawn claims 10-12 be reinstated because of their ultimate dependency on allowable claim 3.

By this Reply and Amendment, claims 3, 15 and 20 have been amended, claims 18-19 have been canceled without prejudice, and the reinstatement of claims 10-12 has been requested. Upon entry of these amendments, claims 1-17 and 20 will remain pending in the present application. All claim amendments are fully supported throughout the description and figures of the specification. No new matter has been added.

In the Office Action, claim 2 was rejected under 35 USC 102(b) as anticipated by the Lussier et al. reference, US Patent No.: 5,648,635. This rejection is respectfully traversed.

The Lussier et al. reference discloses a shaped charge holder 76 designed for use with a conventional cold formed charge case 24 having a specific size. The charge case 24 is held against outward radial movement from the charge holder tube 76 by tabs 102. (See column 7, lines 5-11 and 42-46). The charge case 24 can be installed with "accessories typically used in installing the case in a conventional port". (See column 6, lines 46-49). One example of such accessory is the "rubber jacket 34" that includes an initiation cord holder hole 36. (See column 6, lines 46-49). Accordingly, the Lussier et al. reference describes mounting of a single sized charge case and provides no disclosure or teaching of a device that accommodates the mounting of shaped charges having different sizes.

In the Office Action, the Lussier et al. reference was described as disclosing "the loading tube formed to receiving a second shaped charge having a selected size large that the first shaped

charge and the holder mechanism being configured for connection to the mounting mechanism for mounting the first shaped charge in the loading tube". (See Office Action, page 2). However, it is respectfully submitted that the cited reference does not in any way disclose or teach these elements. Accordingly, the rejection of independent claim 2 is not supported by the Lussier et al. reference and should be withdrawn.

In the Office Action, claims 15-16 and 20 were rejected under 35 USC 102(b) as anticipated by the Lindsay, Jr. reference, US Patent No.: 2,926,603. This rejection is respectfully traversed, however independent claims 15 and 20 have been amended to clarify aspects of the claim language.

The Lindsay, Jr. reference discloses an explosive charge 45 contained in a shell 46 having an annular recess 38 to receive a retainer 35. Shell 46 includes a cylindrical rear end extension portion 33 inserted into a recess 32 formed in the wall of a cylindrical gun housing 10. At an opposite end, retainer 35 comprises a thick end portion 37 sized for engagement with a port 35 in cylindrical gun housing 10. (See column 3, line 50, through column 4, line 15). Accordingly, the Lindsay Jr. reference does not disclose or teach "a jacket" sized for engagement with the loading tube in combination with a two section housing assembly and a fastening mechanism for connecting the housing assembly to the jacket, as recited in amended, independent claims 15 and 20. Therefore, independent claims 15 and 20, along with dependent claim 16, are patentable over the cited Lindsay, Jr. reference.

In the Office Action, claims 1 and 14 were rejected under 35 USC 103(a) as unpatentable over the Kneisl et al. reference, US Publication No.: 2002/0189482, in view of the Lussier et al. reference. This rejection is respectfully traversed.

The Kneisl et al. reference describes a debris free perforating system. Shaped charges 1 are housed within a loading tube 22. A jacket 24 secures the shaped charges to the loading tube 22 and maintains the orientation of the shaped charges. As with conventional systems, the shaped charges 1 and jackets 24 are inserted into the loading tube 22 until jackets 24 shoulder against loading tube shoulders 23. (See paragraphs 0019 and 0020). However, the reference

fails to disclose or teach certain elements of the subject claims. As acknowledged in the Office Action, for example, the Kneisl et al. reference does not disclose an adapter. The Lussier et al. reference is described as teaching an adapter in the form of rubber jacket 34. (See Office Action, page 3).

However, the references, whether taken alone or in combination, fail to disclose or suggest elements of the subject claims. For example, the references do not disclose or suggest an adapter adapted to receive and mount "a shaped charge of a selected size into the jacket of the loading tube" where the jacket on its own is designed to hold shaped charges "of a size larger than the selected size" as recited in independent claim 1. Similarly, the references do not disclose or suggest providing a standard loading tube with a standard jacket mechanism for receiving shaped charges "of a particular size larger than the small shaped charge" in combination with inserting a small shaped charge into an adapter and installing the adapter "into the standard jacket mechanism of the loading tube" as recited in independent claim 14. As discussed above with respect to the rejection of claim 2, the Lussier et al. reference does not disclose or teach an apparatus or a method related to a device that accommodates the mounting of shaped charges having different sizes. The Kneisl et al. reference also fails to disclose or teach these elements. Accordingly, no prima facie case of obviousness has been established with respect to claims 1 and 14, and the rejection should be withdrawn.

Claim 13 was rejected under 35 USC 103(a) as unpatentable over the Lussier et al. reference in view of the Kneisl et al. reference. This rejection also is respectfully traversed.

As discussed in the previous paragraph, the cited references do not disclose or suggest a method for accommodating the mounting of shaped charges having different sizes. By way of specific example, the cited references do not disclose or suggest "a holder to mount a shaped charge of a selected size into a standard jacket of a loading tube" where the standard jacket is designed "to hold shaped charges of a size larger than the selected size" as recited in independent claim 13. The cited references do not disclose or suggest a method that enables the interchangeability of shaped charges having different sizes. Accordingly, no prima facie case of

obviousness has been established with respect to claim 13, and the rejection should be withdrawn.

In view of the foregoing remarks, the pending claims are believed patentable over the cited references. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert A. Van Someren', written over a horizontal line.

Robert A. Van Someren
Reg. No. 36,038

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PO Box 2107
Cypress, TX 77410-2107
Voice: (281) 373-4369